

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WASTE FACILITIES INC.,
Petitioner,

v.

SCOTT ENVIRONMENTAL SERVICES INC.,
Patent Owner.

Case IPR2018-00203
Patent 8,007,581 B2

Before GRACE KARAFFA OBERMANN, JON B. TORNQUIST, and
JEFFREY W. ABRAHAM, *Administrative Patent Judges*.

ABRAHAM, *Administrative Patent Judge*.

ORDER
Dismissal of the Proceedings
37 C.F.R. § 42.72

On February 22, 2018, pursuant to 35 U.S.C. § 317(a), the parties filed a Joint Motion to Terminate the proceedings in IPR2018-00203. Paper 6. Accompanying the Motion, the parties filed a true copy of a settlement agreement along with a Joint Request to treat the settlement agreement as confidential, to be kept separate from the patent file under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74. Ex. 1007; Paper 7. We authorized the filing of these papers in an email sent on February 22, 2018.

These proceedings are at an early stage. The Board has not yet determined whether to institute trial. The parties indicate that they have agreed to resolve their disputes related to the challenged patent. *See, e.g.*, Paper 6, 3. Under these circumstances, we determine that it is appropriate to dismiss the petition. *See* 37 C.F.R. §§ 42.5(a), 42.71(a). This paper does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

As requested by the parties, the settlement agreement will be treated as business confidential information and kept separate from the patent files. 37 C.F.R. § 42.74(c).

Accordingly, it is

ORDERED that the Joint Motion to Terminate IPR2018-00203, is *granted*;

FURTHER ORDERED that the parties' Joint Request to have their settlement agreement (Ex. 1007) treated as business confidential information, to be kept separate from the patent files, is *granted*; and

FURTHER ORDERED that the Petition for *Inter Partes* Review in IPR2018-00203 is *dismissed*.

Case IPR2018-00203

Patent 8,007,581 B2

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